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## Planning Commission Staff Report

**TO:** PLANNING COMMISSION/ DESIGN REVIEW BOARD

**FROM:** NATHAN WILLIAMS, AICP, SENIOR PLANNER *NW*  
(480) 503-6805, NATHAN.WILLIAMS@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER AICP, PRINCIPAL PLANNER *ajl*  
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** FEBRUARY 5, 2020

**SUBJECT:** Z19-17: BERGE VAL VISTA NORTH: REQUEST TO REZONE APPROX. 162 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF VAL VISTA DRIVE AND OCOTILLO ROAD FROM SINGLE FAMILY 35 (SF-35) ZONING DISTRICT TO APPROX. 38.60 ACRES (PARCEL 1) OF SINGLE FAMILY - 8 (SF-8); 34.49 ACRES (PARCEL 2) OF SINGLE FAMILY - 7 (SF-7); 19.80 ACRES (PARCEL 3) OF SINGLE FAMILY - 7 (SF-7); 25.69 ACRES (PARCEL 4) OF SINGLE FAMILY - 6 (SF-6); 17.74 ACRES (PARCEL 5) OF SINGLE FAMILY - 6 (SF-6); AND 25.76 ACRES (PARCEL 6) OF SINGLE FAMILY DETACHED (SF-D) ZONING DISTRICTS, ALL WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY

**STRATEGIC INITIATIVE:** Community Livability

This project would allow for residential development within a currently vacant property.

### RECOMMENDED MOTION

For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-17, as requested, subject to the conditions listed in the staff report.

**APPLICANT/OWNER**

Company: Burch &amp; Cracchiolo PA

Name: Brennan Ray

Address: 702 E. Osborn Rd. #200  
Phoenix, AZ 85014

Phone: 602-234-8794

Email: bray@bcattorneys.com

Company: Caballero Apartments LP  
c/o Maracay Homes

Name: Jason Weber

Address: 15279 N. Scottsdale Rd. #300  
Scottsdale, AZ 85254

Phone: 602-234-8794

Email: Jason.weber@maracayhomes.com

**DISCUSSION****Overview**

The subject site is currently an undeveloped combination of parcels totaling 162 acres with an existing General Plan land use classification of Residential > 2-3.5 DU/ Acre. The applicant is not requesting a change to the existing General Plan as the proposed gross density would be approximately 3.0 DU/ Acre (485 residential lots/ approx. 162 gross acres). The proposed development will contain a combination of single-family zoning districts to offer a mixture of housing products to the community.

**Surrounding Land Use & Zoning Designations:**

	<b>Existing Land Use Classification</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
North	Residential > 2-3.5 DU/Acre	Single Family 7 (SF-7) and Single Family 8 (SF-8)	Appleby Rd (partially developed) then Vista Dorado subdivision.
South	Residential > 2-3.5 DU/Acre	Single Family 35 (SF-35)	Ocotillo Road (partially developed) then undeveloped
East	Residential > 0-1 DU/Acre and PF/I	Maricopa County Rural – 43 Town of Gilbert SF-43 and PF/I	Val Vista Drive (developing) then large lot residential and Weinberg Elementary
West	Residential > 2-3.5 DU/Acre	Maricopa County Rural – 43 and Town of Gilbert SF-6	148 <sup>th</sup> Street (partially developed) then Felty Farms subdivision and large lot residential
Site	Residential > 2-3.5 DU/Acre	Single Family 35 (SF-35)	Undeveloped

As part of the Planned Area Development overlay request, the applicant is proposing several deviations to the base zoning district shown **in bold** in the table below:

**Project Data Table:**

<b>Site Development Regulations</b>	<b>LDC Single Family 8 (SF-8)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 1) SF-8 PAD</b>
Minimum Lot Area (sq. ft. per DU)	8,000	<b>9,000</b>

<b>Site Development Regulations</b>	<b>LDC Single Family 8 (SF-8)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 1) SF-8 PAD</b>
Minimum Lot Dimensions (width x depth)	75'x100'	<b>70'x 130'</b>
Maximum Height (ft.)/Stories	30'/ 2-story	30'/ 2-story
Minimum Building Setbacks (ft.): Front Yard Side Yard Rear Yard	20' 10/ 10' 25'	20' <b>5'/ 10'</b> 25'
Maximum Lot Coverage (%)	45% one-story 40% two-story	45% one-story 40% two-story

**Project Data Table:**

<b>Site Development Regulations</b>	<b>LDC Single Family 7 (SF-7)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 2) SF-7 PAD</b>
Minimum Lot Area (sq. ft. per DU)	7,000	<b>7,500</b>
Minimum Lot Dimensions (width x depth)	65'x 100'	<b>60'x 125'</b>
Maximum Height (ft.)/Stories	30'/ 2-story	30'/ 2-story
Minimum Building Setbacks (ft.): Front Yard Side Yard Rear Yard	20' 5' and 10' 20'	20' 5' and 10' 20'
Maximum Lot Coverage (%)	45% one-story 40% two-story	45% one-story 40% two-story

**Project Data Table:**

<b>Site Development Regulations</b>	<b>LDC Single Family 7 (SF-7)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 3) SF-7 PAD</b>
Minimum Lot Area (sq. ft. per DU)	7,000	7,000
Minimum Lot Dimensions (width x depth)	65'x 100'	<b>55'x 128'</b>
Maximum Height (ft.)/Stories	30'/ 2-story	30'/ 2-story

<b>Site Development Regulations</b>	<b>LDC Single Family 7 (SF-7)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 3) SF-7 PAD</b>
Minimum Building Setbacks (ft.): Front Yard Side Yard Rear Yard	20' 5' and 10' 20'	20' 5' and 10' 20'
Maximum Lot Coverage (%)	45% one-story 40% two-story	45% one-story 40% two-story

**Project Data Table:**

<b>Site Development Regulations</b>	<b>LDC Single Family 6 (SF-6)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 4) SF-6 PAD</b>
Minimum Lot Area (sq. ft. per DU)	6,000	<b>5,900</b>
Minimum Lot Dimensions (width x depth)	55' x 100'	<b>55' x 108'</b>
Maximum Height (ft.)/Stories	30'/ 2-story	30'/ 2-story
Minimum Building Setbacks (ft.): Front Yard Side Yard Rear Yard	20' 5' and 10' 20'	<b>15'</b> 5' and 10' 20'
Maximum Lot Coverage (%)	45% one-story 40% two-story	45% one-story 40% two-story

**Project Data Table:**

<b>Site Development Regulations</b>	<b>LDC Single Family 6 (SF-6)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 5) SF-6 PAD</b>
Minimum Lot Area (sq. ft. per DU)	6,000	<b>6,150</b>
Minimum Lot Dimensions (width x depth)	55' x 100'	<b>50' x 123'</b>
Maximum Height (ft.)/Stories	30'/ 2-story	30'/ 2-story
Minimum Building Setbacks (ft.): Front Yard Side Yard Rear Yard	20' 5' and 10' 20'	<b>15'</b> 5' and 10' 20'
Maximum Lot Coverage (%)	45% one-story 40% two-story	45% one-story 40% two-story

**Project Data Table:**

<b>Site Development Regulations</b>	<b>LDC Single Family Detached (SF-D)</b>	<b>Proposed Development for Berge Val Vista North (Parcel 6) SF-D PAD</b>
Minimum Lot Area (sq. ft. per DU)	3,000	<b>4,000</b>
Minimum Lot Dimensions (width x depth)	N/A	<b>40'x 105'</b>
Maximum Height (ft.)/Stories	36'/ 3-story	<b>30'/ 2-story</b>
Minimum Building Setbacks (ft.): Front Yard Side Yard Rear Yard	10' 0' or 5' (10' min. between buildings) 10'	10' 0' or 5' (10' min. between buildings) 10'
Maximum Lot Coverage (%)	60% one-story 50% two-story	60% one-story 50% two-story

**DISCUSSION****General Plan**

As proposed, the Berge Val Vista North master planned development by Maracay Homes would remain in conformance with the existing General Plan land use designation density range of 2-3.5 DU/Acre with a total of 485 lots on 162.08 acres (approximately 3.0 DU/ Acre). As noted above, the subject site is located within the Santan Character Area and has always been designated by the General Plan to be the type of residential uses and lot sizes proposed under Z19-17.

The proposed rezoning request supports the goals and policies of the Town of Gilbert General Plan's Land Use and Character Areas (Santan Character Area) chapters as follows:

- Goal 1.0; Policy 1.1 Maintain a balance of housing types and provide a variety of employment opportunities with easily accessible retail and service uses.
- Goal 1.0; Policy 1.3 Encourage residential development that allows for a diversity of housing types for all age groups and is accessible to a range of income levels.
- Goal 1.0; Policy 1.4 Plan areas for community services, including sites for schools, public safety, utilities, parks, trails and open spaces within new development projects. Surrounding residential densities should be appropriate to these non-residential areas and their uses
- Goal 4.0 – Provide a diversity of quality housing types for a variety of lifestyles.
- Goal 4.0; Policy 4.1 Provide an adequate supply of appropriately zoned land to accommodate a variety of future housing needs.

- SCA Goal 2 Policy 2.4 – Promote collector street system.
- SCA Goal 2 Policy 2.6 – Encourage subdivision design to optimize open space areas for community gatherings.
- SCA Goal 3 Policy 3.2 – Encourage master planned communities to create village centers.
- SCA Goal 3 Policy 3.6 – Provide buffering between different land uses and densities.
- Development Criteria – Density:
  - Subdivision design that provides ample open space as a community focal point and buffers existing adjacent large lots with similar lot sizes.
  - Provide a minimum ten percent (10%) open space or acceptable alternatives, which meet the spirit and goals of the Santan Character Area.

### **Rezoning**

The applicant is requesting a combination of zoning districts and lots sizes, as follows: SF-8 (Parcel 1, 75 lots, 38.6 acres, 24% of total), SF-7 (Parcels 2 and 3, 138 lots, 54.29 acres, 33%), SF-6 (Parcels 4 and 5, 165 lots, 43.43 acres, 27%) and SF-D (Parcel 6, 107 lots, 25.76 acres, 16%) zoning districts all with a Planned Area Development (PAD) overlay. The applicant has proposed deviations from the Land Development Code (LDC) as identified above in the project data tables for each zoning district and parcel.

The approx. 162 gross acre Berge Val Vista North site is located within the Santan Character Area, and appears to be compatible with the other master planned communities in this character area (i.e. Layton Lakes, Vista Dorada, Shamrock Estates, Adora Trails, Seville and Hamstra Dairy) with typical lots ranging from sizes of 6,000 sq. ft. – 10,000 sq. ft. with supplemental portions of smaller lots (3,000 – 4,000 sq. ft.) with SF-D zoning within the Residential > 2 – 3.5 DU/ acre land use densities.

Overall staff finds that there are a number of elements of the overall design that are very good; such as having four (4) overall access points on all sides of the community, the use of curvilinear streets, utilizing a central open space and amenities as well as various pocket parks. Staff has requested that through the preliminary plat process, the applicant also demonstrate that design features such as significant pedestrian trails, walkways and connections are being provided throughout the subdivision, as this will be an extremely important aspect of the overall community design and viability.

Staff was originally concerned with the proposed amount (approx. 43% of the overall community) of SF-D zoning district within the Berge Val Vista North community and within the Santan Character Area. Other existing, comparable master planned communities with the same density within the Santan Character Area (i.e. Layton Lakes, Vista Dorada, Shamrock Estates, Adora Trails, Seville and Hamstra Dairy) do not utilize SF-D zoning or they set aside a minor amount of their overall community for smaller lot zoning districts such as SF-D. The applicant has since made

a number of changes to this area of concern by both staff and the Planning Commission such as eliminating a significant number of SF-D lots/ zoning district, reducing the overall lots from 509 to 485 and increasing lot size diversity.

Primary gated access to the proposed master planned community is via Val Vista Drive. There are three (3) other secondary gated access points proposed, on each adjacent street of the overall development – Appleby Road to the north, Ocotillo Road to the south and from 148<sup>th</sup> Street to the west. Each ingress/ egress point will be gated for vehicles. However, with the Phase 1 improvements to the Berge Val Vista North community, the developer will be completing construction of 148<sup>th</sup> Street (collector street), which will provide 2-way traffic circulation around the entire community via collector and arterials streets. Additionally, the applicant has agreed through conditions of zoning that the pedestrian gates will remain open to the public from dawn until dusk, to allow for walkers, bikes and students wanting to walk to the future elementary school to be able to utilize the trails and walkways of the Berge Val Vista North community for access and circulation. Staff finds that this proposal is much more in-line with the Goals and Policies of the General Plan than the original proposal.

Traffic Engineering and Planning have worked with the applicant regarding the proposed phasing of infrastructure such as adjacent roads and internal streets, as well as overall access and circulation based upon the results of a Traffic Impact Analysis (TIA). Town staff has agreed with the proposed Phasing Plan (2 total phases of development), which will provide for the improvements to 148<sup>th</sup> Street to occur with the Phase 1 improvements.

### **PLANNING COMMISSION STUDY SESSION – 10/2/2019**

At the Planning Commission Study Session on October 2, 2019, the following feedback was provided for the proposed Berge Val Vista North development under Z19-17:

- Overall density, the amount of SF-D and smaller lots proposed. More diversity of zoning and lots sizes.
- Compatibility with the Santan Character Area and other existing master planned communities.
- Number of base zoning district modifications, such as side yard setbacks in the SF-8 zoning district, etc.
- Proposed gating of the community and how it would impact pedestrians and connections to the future school site.
- If there would be suitable pedestrian connectivity throughout the community.
- Would the development be able to provide for adequate on-street guest parking for the community?

Staff finds that the applicant has addressed the majority of staff and the Planning Commission's comments through proposed zoning district changes eliminating a significant number of SF-D lots/ zoning district, a reduction in the overall lots from 509 to 485 and an increase in lot size diversity.

Additionally, the applicant has agreed to phase off-site street improvements such that 148<sup>th</sup> Street would be constructed with Phase 1 of the community and that the proposed pedestrian gates will

be open to pedestrians from dawn to dusk to help increase connectivity of the overall community for multiple modes of transportation.

### **PUBLIC NOTIFICATION AND INPUT**

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

To date, two (2) neighborhood meetings have been held on the subject request. The first neighborhood meeting was held on October 16, 2018 at the Quartz Elementary School (approx. 8 residents in attendance) and the second neighborhood meeting was held on November 19, 2019 at the Quartz Elementary School; there were no residents in attendance. The meeting minutes demonstrate that the residents had a number of comments at the original neighborhood meeting, regarding why there is a need for more apartment homes, how the development will impact traffic in the area and how it will be buffered from residential properties to the south; as well as the types of units that would be offered in the apartment homes and how these will compare to other apartment homes in the area.

Staff has received no additional comments from the public at the time this report was written.

### **SCHOOL DISTRICT**

The application materials for the Berge Val Vista North rezoning requests have been sent to the Chandler Unified School District (CUSD) for review. Staff notes that the CUSD is in the process of constructing a new elementary school on the subject site of Z19-17, in order to address the increase demands for school facilities in this area.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **REASONS FOR THE RECOMMENDATION**

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”



## **STAFF RECOMMENDATION**

For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z19-17 rezoning approx. 162.08 acres generally located at the northwest corner of Val Vista Dr. and Ocotillo Rd. from Single Family -35 (SF-35) zoning district to 38.60 acres of Single Family-8 (SF-8), 54.29 acres of Single Family -7 (SF-7), 43.43 acres of Single Family-6 (SF-6), and 25.76 acres of Single Family-Detached (SF-D) zoning districts, all with a Planned Area Development (PAD) overlay, subject to the following conditions.

- a. Dedication to Gilbert for Val Vista Drive and Ocotillo Road rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
- b. Dedication of Val Vista Drive shall extend 70 feet from the monument line and dedication of Ocotillo Road shall extend 65 feet from the monument line.
- c. Dedication to Gilbert for Appleby Road and 148th Street right-of-way that is adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of Appleby Road and 148th Street shall extend a minimum of 40 feet from the monument line of each road, or as otherwise approved by the Town Engineer prior to approval of the construction plans. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
- d. Construction of off-site improvements to Val Vista Road and Ocotillo Road adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier. If Gilbert constructs the improvements required by this ordinance as part of its capital improvements program prior to development of the Property, Developer shall reimburse Gilbert for Gilbert's reasonable costs of construction (to exclude any costs paid by the Developer for any ST1120 improvement pursuant to A.R.S. § 9-243) prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property.

- e. Construction of off-site improvements to Appleby Road and 148th Street adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or in accordance with an approved Phasing Plan.
- f. Prior to recordation of the final plat, Developer shall enter into a Development Reimbursement and Lien Agreement agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements required by this ordinance if Gilbert constructs the improvements as part of its capital improvements program, deducting any costs paid by the Developer for any ST1120 improvement pursuant to A.R.S. § 9-243.
- g. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- h. Developer shall create a Homeowner's Association (HOA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way.
- i. Developer shall record easements to be owned by the HOA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
- j. Prior to final plat approval, Developer shall pay for its proportional share of water and sewer mains benefitting the Property, as required by the Town Engineer.

- k. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

SF-8 (Parcel 1) Zoning District Standards	Berge Val Vista North PAD (Z19-17)
Minimum Lot Area (sq. ft.)	9,000
Minimum Lot Dimensions Width Depth	70' 130'
Minimum Side Yard Setbacks	5' / 10'

SF-7 (Parcel 2) Zoning District Standards	Berge Val Vista North PAD (Z19-17)
Minimum Lot Area (sq. ft.)	7,500
Minimum Lot Dimensions Width Depth	60' 125'
Minimum Side Yard Setbacks	5' / 10'

SF-7 (Parcel 3) Zoning District Standards	Berge Val Vista North PAD (Z19-17)
Minimum Lot Dimensions Width Depth	55' 128'

SF-6 (Parcel 4) Zoning District Standards	Berge Val Vista North PAD (Z19-17)
Minimum Lot Area (sq. ft.)	5,900
Minimum Lot Dimensions Depth	108'
Minimum Front Yard Setback	15'

SF-6 (Parcel 5) Zoning District Standards	Berge Val Vista North PAD (Z19-17)
Minimum Lot Area (sq. ft.)	6,150
Minimum Lot Dimensions Width Depth	50' 123'
Minimum Front Yard Setback	15'

SF-D (Parcel 6) Zoning District Standards	Berge Val Vista North PAD (Z19-17)
Minimum Lot Area (sq. ft.)	4,000
Minimum Lot Dimensions Width Depth	40' 105'
Maximum Height (ft./ stories)	30' / 2-stories

1. All pedestrian gates within the Berge Val Vista North PAD will remain unlocked from dawn to dusk for the life of the community. This requirement shall be codified in the HOA documents and prohibit the removal or modification of this provision by declarant or HOA board.

Respectfully submitted,  
/S/  
Nathan Williams, AICP  
Senior Planner

**Attachments and Enclosures:**

- 1) Notice of Public Hearing Map
- 2) Zoning Exhibit
- 3) Development Plan
- 4) Phasing Plan
- 5) Conceptual Illustrative Master Plan (for reference only)
- 6) Minutes from the Planning Commission Study Session of October 2, 2019 (6 pages)
- 7) Project Narrative (7 pages)

# ***Notice of Public Hearing***

**Z19-17 Berge Val Vista North**  
**Attachment 1: Notice of Public Hearing Map**  
**February 5, 2020**

**PLANNING COMMISSION DATE:**

**Wednesday, February 5, 2020\* TIME: 6:00 PM**

**TOWN COUNCIL DATE:**

**Tuesday, March 24, 2020\* TIME: 6:30 PM**

**\*Call Planning Division to verify date and time: (480) 503-6805**

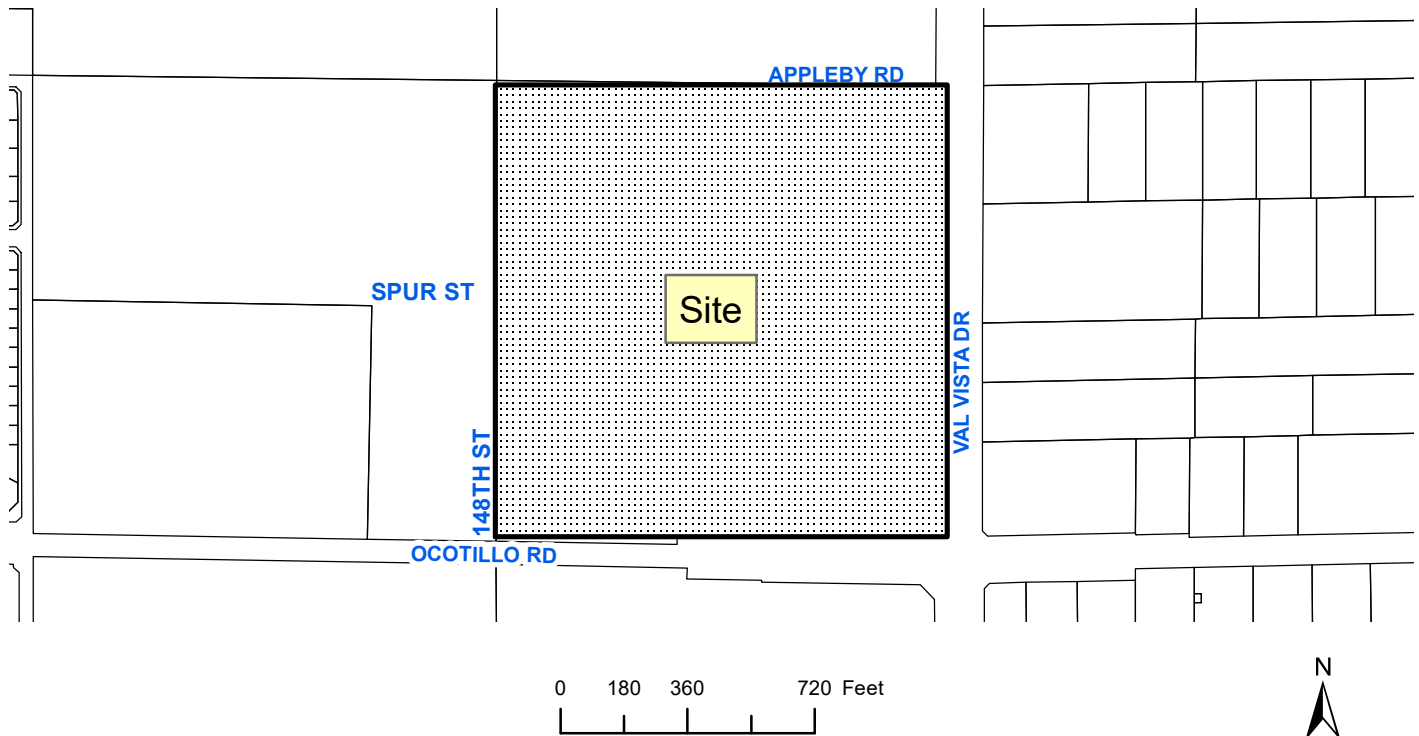
**LOCATION: Gilbert Municipal Center  
Council Chambers  
50 E. Civic Center Dr.  
Gilbert, AZ 85296**

\* The application is available to the public for review at the Town of Gilbert Planning Division Monday - Thursday 7AM - 6PM. Staff reports are available prior to the meeting at [www.gilbertaz.gov/departments/development-services/planning/planning-commission](http://www.gilbertaz.gov/departments/development-services/planning/planning-commission) and [www.gilbertdocs.com/gilbertagendaonline](http://www.gilbertdocs.com/gilbertagendaonline).

## ***REQUESTED ACTION:***

**Z19-17 BERGE VAL VISTA NORTH:** Request to rezone approximately 162.08 acres generally located at the northwest corner of Val Vista Dr. and Ocotillo Rd. from Town of Gilbert Single Family-35 (SF-35) zoning district to 38.60 acres of Single Family-8 (SF-8), 54.29 acres of Single Family-7 (SF-7), 43.43 acres of Single Family-6 (SF-6), and 25.76 acres of Single Family-Detached (SF-D), all with a Planned Area Development overlay zoning district. The effect will be to establish the overall development plan; to increase minimum lot area (SF-8, SF-7: Parcel 2, SF-6: Parcel 5, and SF-D); reduce minimum lot width (SF-8, SF-7 and SF-6: Parcel 5); reduce the minimum front yard setback (SF-6); increase minimum lot depth (SF-8, SF-7 and SF-6); reduce the minimum lot area (SF-6: Parcel 4); reduce the maximum building height (SF-D) and reduce side yard setback (SF-8).

## ***SITE LOCATION:***



**APPLICANT: Burch & Cracchiolo**  
**CONTACT: Brennan Ray**  
**ADDRESS: 702 E. Osborn Rd., Ste 200**  
**Phoenix, AZ 85014**

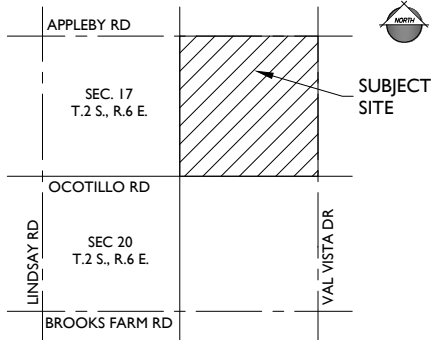
**TELEPHONE: (602) 234-8794**  
**E-MAIL: [bray@bcattorneys.com](mailto:bray@bcattorneys.com)**

# ZONING EXHIBIT FOR BERGE VAL VISTA NORTH

THE SOUTHEAST QUARTER OF SECTION 17, T.2 S., R.6 E., GILA  
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

## VICINITY MAP

N.T.S.



## PROJECT TEAM

DEVELOPER  
MARACAY HOMES  
15279 N SCOTTSDALE RD, STE 300  
SCOTTSDALE, AZ 85254  
TEL: (480)-346-2686  
CONTACT: JASON WEBER  
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ENGINEER  
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MESA, AZ 85201  
TEL: (480)-503-2250  
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PLACEWORKS  
3 MACARTHUR PLACE, SUITE 1100  
SANTA ANA, CA 92707  
TEL: (714)-966-9220  
CONTACT: SCOTT ASHLOCK  
sashlock@placeworks.com

## PROJECT DATA

A.P.N.:  
EXISTING GENERAL PLAN:  
EXISTING ZONING:

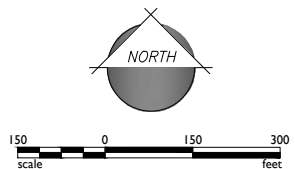
304-72-015; 016A; 017; 018B; 018C  
RESIDENTIAL > 2-3.5 DU/AC  
SF-35

PROPOSED ZONING:

SF-8 WITH PAD OVERLAY PARCEL 1 (38.60 AC. - 24%)  
SF-7 WITH PAD OVERLAY PARCEL 2 (34.49 AC. - 21%)  
SF-7 WITH PAD OVERLAY PARCEL 3 (19.80 AC. - 12%)  
SF-6 WITH PAD OVERLAY PARCEL 4 (25.69 AC. - 16%)  
SF-6 WITH PAD OVERLAY PARCEL 5 (17.74 AC. - 11%)  
SF-D WITH PAD OVERLAY PARCEL 6 (25.76 AC. - 16%)

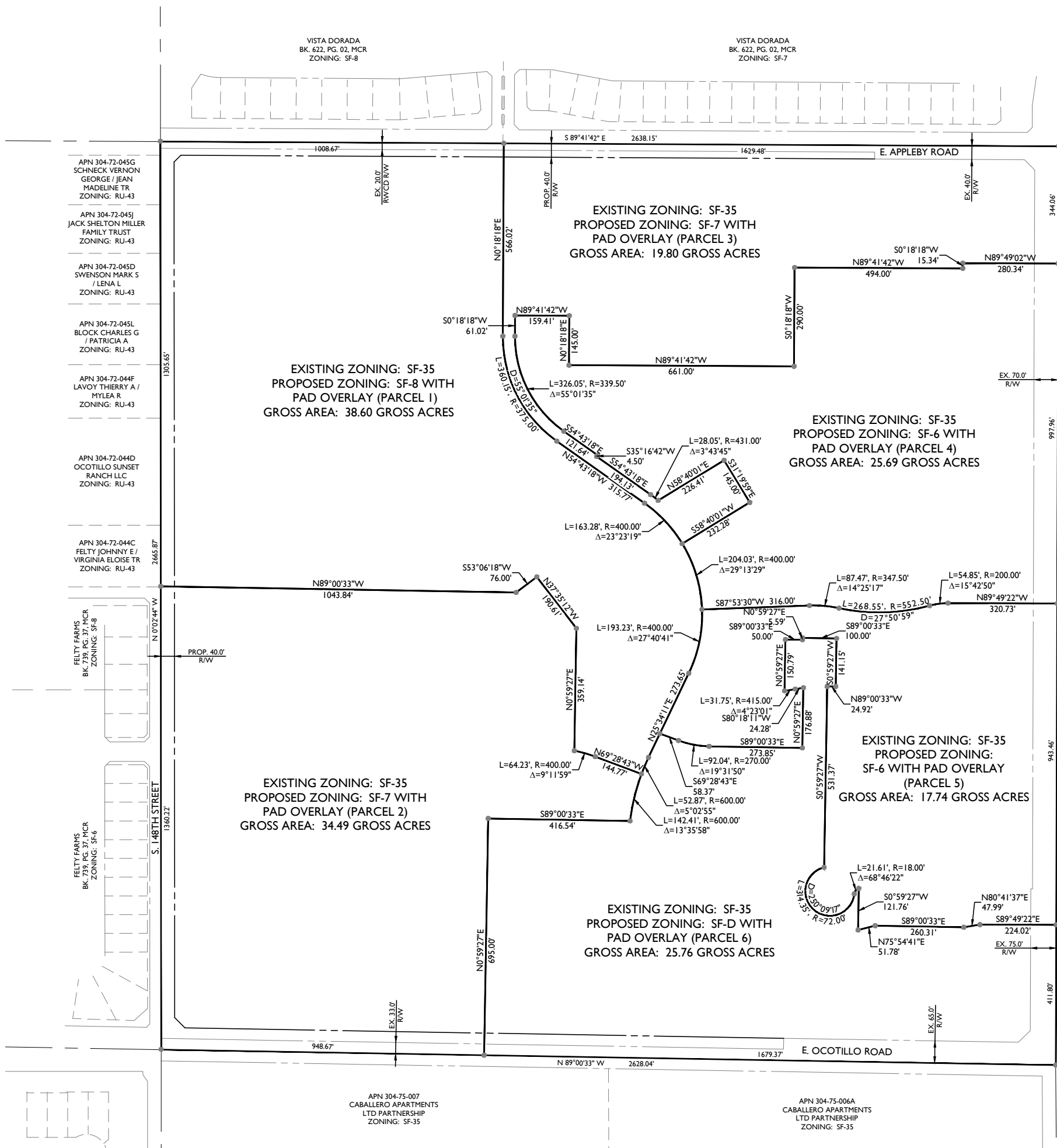
GROSS AREA:  
NET AREA:

± 162.08 ACRES  
± 149.13 ACRES



18-428.1

Dec 11, 2019 9:12pm S:\Projects\2018\18-428.1\Planning\Drawings\Zoning\18-428.1 - ZN01.dwg  
dhughes



APN 304-71-0028  
CHANDLER UNIFIED  
SCHOOL DISTRICT 80  
ZONING: PF-1

APN 304-71-092A  
CORDERMAN  
RANDAL / NANCY JO  
ZONING: SF-43

APN 304-71-093D  
DANIEL AND WENDY  
WELSH TRUST  
ZONING: SF-43

APN 304-71-982  
RAYALA MICHAEL H /  
PAMELA J  
ZONING: SF-43

APN 304-71-090A  
HANGER KEVIN  
RICHARD / NICOLE  
ZONING: SF-43

APN 304-71-983  
CAVINS JOSEPH R /  
EILEEN M TR  
ZONING: SF-43

APN 304-71-054F  
KYLE CONWAY AND  
SARAH CONWAY TRUST  
ZONING: SF-43

APN 304-71-052G  
LEWIS GERALD G /  
DE ANDA YVONNE  
ZONING: SF-43

APN 304-71-067A  
LEWIS FAMILY TRUST  
ZONING: RU-43

APN 304-71-062D  
HARRELSON BENJAMIN S  
ZONING: RU-43

APN 304-71-061L  
MARUTI TRUST  
ZONING: SF-43

VISTA DORADA  
BK. 622, PG. 02, MCR  
ZONING: SF-8

VISTA DORADA  
BK. 622, PG. 02, MCR  
ZONING: SF-7

EXISTING ZONING: SF-35  
PROPOSED ZONING: SF-7 WITH  
PAD OVERLAY (PARCEL 3)  
GROSS AREA: 19.80 GROSS ACRES

EXISTING ZONING: SF-35  
PROPOSED ZONING: SF-8 WITH  
PAD OVERLAY (PARCEL 1)  
GROSS AREA: 38.60 GROSS ACRES

EXISTING ZONING: SF-35  
PROPOSED ZONING: SF-6 WITH  
PAD OVERLAY (PARCEL 4)  
GROSS AREA: 25.69 GROSS ACRES

EXISTING ZONING: SF-35  
PROPOSED ZONING: SF-7 WITH  
PAD OVERLAY (PARCEL 2)  
GROSS AREA: 34.49 GROSS ACRES

EXISTING ZONING: SF-35  
PROPOSED ZONING: SF-D WITH  
PAD OVERLAY (PARCEL 6)  
GROSS AREA: 25.76 GROSS ACRES

APN 304-75-007  
CABALLERO APARTMENTS  
LTD PARTNERSHIP  
ZONING: SF-35

APN 304-75-006A  
CABALLERO APARTMENTS  
LTD PARTNERSHIP  
ZONING: SF-35

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www.epsgruppinc.com



Berge Val Vista North

Zoning Exhibit

Project

Revisions:

APRIL 18, 2019 - PRE-APPLICATION SUB  
AUGUST 15, 2019 - 1ST SUBMITTAL  
NOVEMBER 18, 2019 - 2ND SUBMITTAL  
DECEMBER 18, 2019 - 3RD SUBMITTAL



Designer:  
Drawn by: DCH

Preliminary  
Not For  
Construction  
Or  
Recording

Job No.  
18-428.1

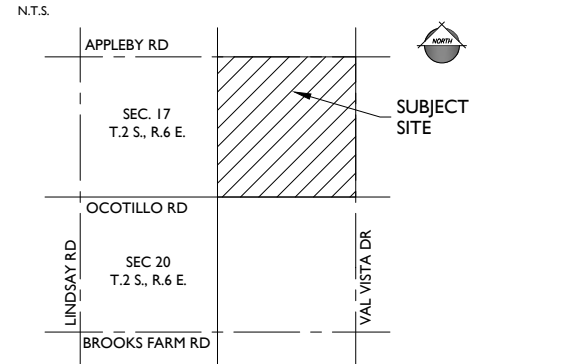
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of 1



# DEVELOPMENT PLAN FOR BERGE VAL VISTA NORTH

THE SOUTHEAST QUARTER OF SECTION 17, T.2 S., R.6 E., GILA  
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA  
VICINITY MAP



PROJECT TEAM	
<b>DEVELOPER</b> MARACAY HOMES 15279 N SCOTTSDALE RD, STE 300 SCOTTSDALE, AZ 85254 TEL: (480)-346-2686 CONTACT: JASON WEBER jason.weber@maracayhomes.com	<b>ENGINEER</b> EPS GROUP, INC. 1130 N. ALMA SCHOOL RD., SUITE 120 MESA, AZ 85201 TEL: (480)-503-2250 CONTACT: ERIC WINTERS, P.E. eric.winters@epsgruoinc.com
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PROJECT DATA	
A.P.N.:	304-72-015; 016A; 017; 018B; 018C
EXISTING GENERAL PLAN:	RESIDENTIAL > 2-3.5 DU/AC
EXISTING ZONING:	SF-35
PROPOSED ZONING:	SF-8 WITH PAD OVERLAY PARCEL 1 (38.60 AC. - 24%) SF-7 WITH PAD OVERLAY PARCEL 2 (34.49 AC. - 21%) SF-7 WITH PAD OVERLAY PARCEL 3 (19.80 AC. - 12%) SF-6 WITH PAD OVERLAY PARCEL 4 (25.69 AC. - 16%) SF-6 WITH PAD OVERLAY PARCEL 5 (17.74 AC. - 11%) SF-D WITH PAD OVERLAY PARCEL 6 (25.76 AC. - 16%)

GROSS AREA:	± 162.08 ACRES
NET AREA:	± 149.13 ACRES
NO. OF LOTS:	
SF-8 W/ PAD OVERLAY PARCEL 1	75
SF-7 W/ PAD OVERLAY PARCEL 2	70
SF-7 W/ PAD OVERLAY PARCEL 3	68
SF-6 W/ PAD OVERLAY PARCEL 4	95
SF-6 W/ PAD OVERLAY PARCEL 5	70
SF-D W/ PAD OVERLAY PARCEL 6	107
TOTAL	485

GROSS DENSITY:	3.0 DU/ACRE	
SF-8 (PARCEL 1) DEVELOPMENT STANDARD DEVIATIONS		
STANDARD	LDC SF-8	PROPOSED SF-8
MIN. LOT AREA (SQ. FT.)	8,000	9,000
MIN. LOT WIDTH (FT.)	75	70
MIN. LOT DEPTH (FT.)	100	130
MIN. SIDE YARD SETBACK (FT.)	10	5 / 10

SF-7 (PARCEL 2) DEVELOPMENT STANDARD DEVIATIONS		
STANDARD	LDC SF-7	PROPOSED SF-7
MIN. LOT AREA (SQ. FT.)	7,000	7,500
MIN. LOT WIDTH (FT.)	65	60
MIN. LOT DEPTH (FT.)	100	125

SF-7 (PARCEL 3) DEVELOPMENT STANDARD DEVIATIONS		
STANDARD	LDC SF-7	PROPOSED SF-7
MIN. LOT WIDTH (FT.)	65	55
MIN. LOT DEPTH (FT.)	100	128

SF-6 (PARCEL 4) DEVELOPMENT STANDARD DEVIATIONS		
STANDARD	LDC SF-6	PROPOSED SF-6
MIN. LOT AREA (SQ. FT.)	6,000	5,900
MIN. LOT DEPTH (FT.)	100	108
MIN. FRONT YARD SETBACK (FT.)	20	15

SF-6 (PARCEL 5) DEVELOPMENT STANDARD DEVIATIONS		
STANDARD	LDC SF-6	PROPOSED SF-6
MIN. LOT WIDTH (FT.)	55	50
MIN. LOT DEPTH (FT.)	100	123
MIN. FRONT YARD SETBACK (FT.)	20	15

SF-D (PARCEL 6) DEVELOPMENT STANDARD DEVIATIONS		
STANDARD	LDC SF-D	PROPOSED SF-D
MIN. LOT AREA (SQ. FT.)	3,000	4,000
MIN. LOT WIDTH (FT.)	N/A	40
MIN. LOT DEPTH (FT.)	N/A	105
MIN. HEIGHT (FT. / STORIES)	36 / 3	30 / 2

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EPS

GROUP

Berge Val Vista North

GILBERT, AZ

Development Plan

Project

Revisions:

APRIL 18, 2018 - PRE-APPLICATION SUB.  
AUGUST 15, 2019 - 1ST SUBMITTAL  
NOVEMBER 18, 2019 - 2ND SUBMITTAL  
DECEMBER 18, 2019 - 3RD SUBMITTAL  
JANUARY 7, 2020 - 4TH SUBMITTAL

DESIGNER:  
DRAWN BY:

DCH

Preliminary  
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Job No.  
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Sheet No.  
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of 1

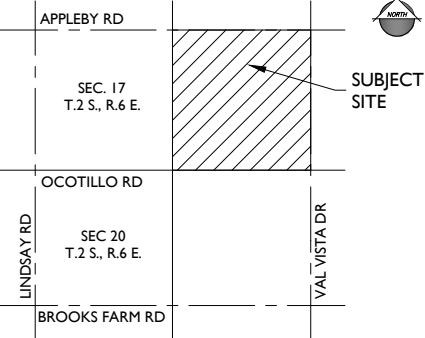


# PHASING PLAN FOR BERGE VAL VISTA NORTH

THE SOUTHEAST QUARTER OF SECTION 17, T.2 S., R.6 E., GILA  
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

### VICINITY MAP

N.T.S.



### PROJECT TEAM

DEVELOPER  
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SCOTTSDALE, AZ 85254  
TEL: (480)-346-2686  
CONTACT: JASON WEBER  
jason.weber@maracayhomes.com

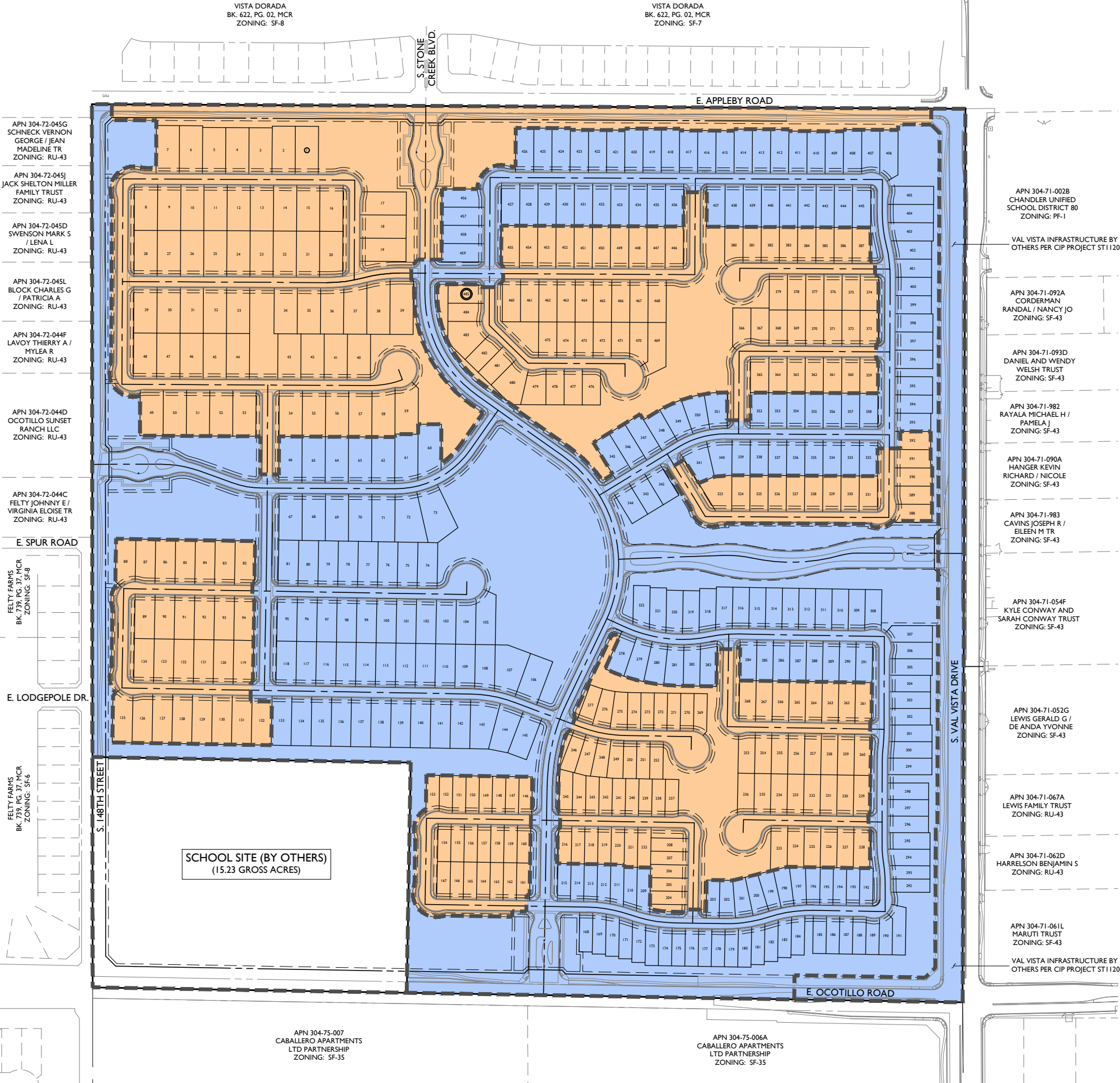
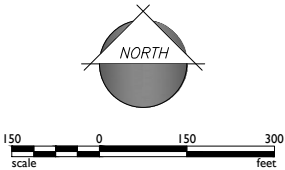
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sashlock@placeworks.com

### PHASING LEGEND

<div></div>	PHASE 1 (80.88 ACRES)
NO. OF LOTS	
SF-8 W/ PAD OVERLAY PARCEL 1	16
SF-7 W/ PAD OVERLAY PARCEL 2	43
SF-7 W/ PAD OVERLAY PARCEL 3	49
SF-6 W/ PAD OVERLAY PARCEL 4	35
SF-6 W/ PAD OVERLAY PARCEL 5	40
SF-D W/ PAD OVERLAY PARCEL 6	48
TOTAL	231
<div></div>	PHASE 2 (65.97 ACRES)
NO. OF LOTS	
SF-8 W/ PAD OVERLAY PARCEL 1	59
SF-7 W/ PAD OVERLAY PARCEL 2	27
SF-7 W/ PAD OVERLAY PARCEL 3	19
SF-6 W/ PAD OVERLAY PARCEL 4	60
SF-6 W/ PAD OVERLAY PARCEL 5	30
SF-D W/ PAD OVERLAY PARCEL 6	59
TOTAL	254

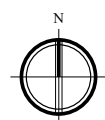


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Legend		
Color	Product	DU
	70x140.5	75
	60x133.5	70
	55x128.5	68
	50x123.5	70
	55x108.5	95
	40x113.5	107
Total		485





**TOWN OF GILBERT  
PLANNING COMMISSION - STUDY SESSION**

**Council Chambers  
50 E. Civic Center Drive, Gilbert, AZ  
October 2, 2019**

**COMMISSION PRESENT:**

Carl Bloomfield, Vice Chair  
David Cavenee  
Noah Mundt  
Scott September  
Jan Simon  
Les Smith  
Philip Alibrandi, Alternate  
Nathan Mackin, Alternate

**COMMISSION ABSENT:**

Brian Andersen, Chair

**STAFF PRESENT:**

Sydney Bethel, Planner II  
Stephanie Bubenheim, Planner II  
Keith Newman, Planner II  
Josh Rogers, Planner II  
Catherine Lorbeer, Principal Planner  
Eva Cutro, Planning Division Manager  
Chris Payne, Town Attorney

**COUNCIL LIAISON PRESENT:**

Brigette Peterson

**RECORDER:**

Dana Desing

**CALL TO ORDER**

Vice Chair Bloomfield called the October 2, 2019 Study Session to order at 5:00 p.m.

**1. OATH OF OFFICE**

Councilwoman Brigette Peterson administered the oaths of office to new Commissioners Noah Mundt, Scott September and Jan Simon, Alternate Nathan Mackin and returning Alternate Philip Alibrandi.

The new Commissioners will be given a chance to introduce themselves during the regular meeting.

**2. ELECT CHAIR AND VICE CHAIR:**

Vice Chair Bloomfield nominated Brian Andersen to be retained as Chair of the Planning Commission. Commissioner Cavenee nominated Carl Bloomfield to be retained as Vice Chair of the Planning Commission. There were no further nominations.

**MOTION:** Vice Chair Bloomfield moved to appoint Brian Andersen as Chair of the Planning Commission; seconded by Commissioner Cavenee. **Motion passed 6-0.**

**MOTION:** Commissioner Cavenee moved to appoint Carl Bloomfield as Vice Chair of the Planning Commission; seconded by Commissioner Smith. **Motion passed 6-0.**

**3. APPOINTMENT OF ZONING HEARING OFFICER AND ALTERNATE:**

It was noted that only someone who has served on the Planning Commission for at least a year can be appointed as Zoning Hearing Officer or Alternate. Commissioner Cavenee nominated Carl Bloomfield as Zoning Hearing Officer and Les Smith as Alternate Zoning Hearing Officer.

**MOTION:** Commissioner Cavenee moved to appoint Carl Bloomfield as Zoning Hearing Officer; seconded by Commissioner Mundt. **Motion passed 6-0.**

**MOTION:** Commissioner Cavenee moved to appoint Les Smith as Alternate Zoning Hearing Officer; seconded by Commissioner Mundt. **Motion passed 6-0.**

**4. DR19-117 COPENHAGEN EAST VALLEY: Site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 2.68 acres, generally located on the northwest corner of Santan Village Parkway and Coronado Road, zoned Regional Commercial (RC).**

Planner Stephanie Bubenheim reviewed DR19-117, Copenhagen East Valley. The site is located within the SanTan Village Marketplace on the northeast corner of Santan Village Parkway and Coronado Road. Copenhagen is a furniture store known for its Swedish modern style. There will be a shared right in/right out access along Santan Village Parkway with the Tru Hotel directly north of the site. There is another access proposed along Coronado Road. The proposal is for a one-story building just over 31,000 square feet with parking mostly located along the south and west sides of the building. This site is part of the master sign program and the landscape right-of-way design for Santan Village. Originally, the site was part of the greater Crossroads PAD, although a section was removed but was intended to be developed in the same character. A loading dock is proposed for the furniture warehouse. An apartment complex directly to the north was approved as a Use Permit in the Regional Commercial (RC) zoning district which called for pedestrian connectivity through the commercial site out to Santan Village Parkway. There is a proposed pedestrian pathway as part of the Copenhagen site with landscape planters and lighting. The apartment complex will be placing a gate from their property to the pedestrian pathway. The proposed landscape palette follows the Santan Village approved master plan. Upon first review, staff requested additional trees on the Coronado Road side and the perimeter in order to meet the requirements. The elevations were reviewed showing color blocking with various shades of gray as well as the signature Copenhagen red accent color. The front entrance will feature a sculpture area. Staff has asked that the building pull more materials and colors from the Santan Village area, which has a lot of beige, tan, and cream, as well as stone to provide texture. The Design Guidelines look for varying parapet heights, and staff has asked for more articulation on all sides of the building to show movement and make it less boxy.

Ms. Bubenheim provided photos of other developments in the area including the Tru Hotel, the apartments directly to the north, Top Golf, Main Event, Living Spaces, and Firebirds. Many other sites in the area incorporate a more modern style or architecture. Color and material boards from those approved projects were also provided. Other Copenhagen locations do incorporate other colors and materials as well as a more modern type of architecture. Staff would like the Commission's input on the colors and materials, and the articulation and movement of the building.

**QUESTIONS / COMMENTS FROM THE COMMISSION:**

Commissioner Cavenee asked if the outdoor patio would be used to display product or for employee use?

Ms. Bubenheim stated that area was noted as a terrace, although she will ask for clarification from the applicant.

Commissioner Cavenee noted that the loading dock would have a direct view towards the apartments. He stressed making sure to have full closure gates and some process to buffer those activities. He had been part of the development of a Copenhagen in the north Valley and very much liked the streamlined view which speaks to the Nordic architecture and style. He did agree that the colors were a little too gray on gray. The splash of red is great, although it could use a little variation in color. He supported staff's direction on the colors and felt the applicant has tried to do some articulation in the parapet lines, but he agreed that it was not enough from the street or pedestrian view. He encouraged the applicant to amplify some of the vertical and horizontal offsets to create shadowing and variation.

Commissioner Smith asked if there were any staff concerns with the loading dock adjacent to the pedestrian walkway. Will there be any separation or does staff anticipate any conflicts with the pedestrian traffic?

Ms. Bubenheim stated the apartment complex was configured with this area designated for pedestrian access. Staff has noted that it is very close to the loading dock and the applicant has replied that it is really the best location given the site. Staff has asked for a lot of delineation between the crosswalk and the loading dock.

Commissioner Simon shared the concerns with the location of the loading dock. His initial reaction was that the bright red on the front of the building didn't necessarily go along with the character of the area. He was not necessarily opposed to it, but just felt it was pretty bold.

Vice Chair Bloomfield asked if there is a design review internally with the developer at Santan. Do they conduct an in-house review of new projects in the area?

Ms. Bubenheim stated as the owners of the property, they have reviewed and signed off on the application.

Vice Chair Bloomfield agreed with the comments regarding the gray on gray. He liked the architecture and felt it was clean. He believed that is what we are seeing the area transition to. This area has taken a long time to develop. As long as the owners were okay with the project, he tended to be okay with it. However, he encouraged the project to comply with requirements in the Town code. He felt there was not a lot of articulation in the area according to Google Earth, except the entries for Macy's and the other department store just to the east of this site. He could go either way, although he encouraged more articulation to make it more interesting architecturally.

**5. Z19-17: Berge Val Vista North: Request to rezone approximately 149 acres generally located at the northwest corner of Val Vista Drive and Ocotillo Road from Single Family 35 (SF-35) zoning district to approximately 28.09 acres of Single Family - 8 (SF-8), 28.57 acres of Single Family - 7 (SF-7), 23.16 acres of Single Family - 6 (SF-6), and 69.06 acres of Single Family Detached (SF-D) Zoning Districts, all with a Planned Area Development (PAD) overlay.**

Eva Cutro, Planning Division Manager, presented Z19-17 on behalf of Planner Nathan Williams. The site is located within the Santan Character Area and is zoned Single Family-35 (SF-35). The site is approximately 149 acres in size, or 162 acres including the section that is reserved for the school. The project is located at the northwest corner of Val Vista Drive and Ocotillo Road. There is no General Plan change requested. The General Plan allows 2-3.5 DU/Acre and the proposal is for 500 lots on 149 acres, approximately 3.42 DU/Acre excluding the school site, or 3.1 DU/Acre including the school site. The property is currently zoned Single Family-35 and a zoning change is being requested for a mix of Single Family-Detached (SF-D), Single Family-6, Single Family-7, and Single Family-8. More than 59% of the lots will be SF-D, which is the smallest single-family category. A PAD overlay is being requested for some deviations from the Land Development Code (LDC).

Staff appreciated the curvilinear roads, the four points of access into the subdivision, and the amount and location of the open space in the center of the site. Staff had some concerns with the amount of SF-D as well as the location of SF-D along the perimeter and the arterial roads. There are staff concerns with large areas of homes that are not broken up and the proposal that the entire subdivision be gated. While there are other master planned subdivisions in this area with gates, those gates are only in a portion and not the entire subdivision.

Ms. Cutro reviewed the requested deviations:

SF-D - A deviation is requested to go above the minimum lot area of 3,000 SF and proposing a minimum lot area of 4,000 SF. The SF-D would be the majority of the single-family homes at 59% of the site.

SF-6 - A deviation is proposed to the side yard setbacks. Currently, the LDC calls for setbacks of 5' on one side and 10' on the other. The proposal is to keep the 5' minimum, but allow a 15' aggregate which would allow for various combinations.

SF-7 - The same deviation is being requested to the side yard setback, as well as an increase of the minimum lot size of 7,000 SF to 7,500 SF. The lots would be narrower and deeper and instead of 65' by 100', they are proposing 60' by 125'.

SF-8 - The same deviation is being requested to the side yard setback, as well as a larger minimum lot size of 9,000 SF instead of 8,000. The narrower deeper lots would be 70' by 130' instead of 75' by 100'.

Staff's main concern is with the compatibility with the Santan Character Area, and specifically the use of SF-D on the majority of the project with 294 of the 509 lots proposed for SF-D. This is in excess of the amount used in other master planned communities within the Santan Character Area. Staff is also concerned with the requested modifications to the side yard setbacks. The LDC calls for 5' and 10' side yard setbacks and in SF-8, 10' on each side. The applicant is proposing 5' with an aggregate of 15'. The reason for these requirements in the LDC is to make sure that one of the side yards is sizable to allow a gate and for items to be moved in and out through the side yard. With an aggregate, we may end up with slightly smaller side yards. Staff's last concern is with gating the entire community. Members of a gated community often become more residents of their specific subdivision and less Town of Gilbert residents. Gating the entire community could also interfere with vehicular driving, pedestrians, bicycles, and getting children to and from the proposed school.

A map of the developments within the Santan Character Area was reviewed. The Layton Lakes master planned community has the most SF-D in the Santan Character Area with 20% SF-D and a mix of SF-6, SF-7, SF-8 and SF-10. The SF-D in Layton Lakes is more interior to the site, where the proposal is for 59% SF-D on the perimeter. Adora Trails contains less than 5% SF-D interior to the site. Seville has two areas of SF-D that total just over 5% of their site. The Hamstra Dairy master planned community has no SF-D, but a mix of SF-7, SF-8 and SF-10.

Staff is requesting input from the Planning Commission on the amount and location of SF-D, the modifications to the LDC on the side yard setbacks, the gating of the entire master planned community of 149 acres, and input on the overall subdivision design and open space.

#### **QUESTIONS / COMMENTS FROM THE COMMISSION:**

Commissioner Mundt noted the applicant was asking for more setbacks yet smaller houses.

Ms. Cutro stated the applicant is proposing larger lots in the SF-8 than what the LDC requires for the minimum, but they will be narrower and deeper. The main concern of staff was not that deviation, but the mix of housing product and that the smallest product of SF-D on the 4,000 SF lots makes up the majority of the subdivision.

Commissioner Mundt agreed with that concern. He noted a gated community in theory always sounds good from a marketing value, although the continuity of those gates can sometimes become less than desirable if they have a guard booth. He was also concerned with the safety factor and the school.

Ms. Cutro was unaware at this point if there will be a guard or an automatic gate.

Commissioner Simon asked if there was a requirement or Town code for on-street parking or additional parking with SF-D.

Ms. Cutro referred to staff to answer that question.

Catherine Lorbeer, Principal Planner, advised that there is a provision for additional guest parking if the lot width is small. A 50' wide lot would trigger the requirement for additional guest parking. Otherwise, we would anticipate on-street parking in addition to the two spaces per home.

Commissioner Simon stated his concern in this situation where there is so much SF-D is that there will be a lot of overflow. He assumed the streets were not wide enough to be conducive to on-street parking.

Ms. Cutro stated it is not necessarily the wideness of the street, but the number of driveways and whether cars can fit on the street in between the driveways on narrow lots. Ms. Cutro referred the question to the applicant.

Brennan Ray, Burch & Cracchiolo, stated there is parking planned around the central amenity area as a 5-acre park. He did not anticipate any parking concerns related to the SF-D product.

Commissioner Cavenee appreciated the extra research to show the other master planned communities and their relative proportion of SF-D. It is compelling that this is the most SF-D put forward. He struggles with having all of this SF-D adjacent to SF-43 right across the street and he anticipated getting complaints. He felt the SF-D should be more centralized and reduced. He was okay with the aggregate concept of 15' for the side yards, although he does not like to see side yards reduced. On the SF-8, he would be more supportive of retaining the 10' and 10' side yard setbacks, even if that was made an aggregate. He has seen that concept and believes it can work. There are A/C units, trash bins, and the like that need to get in and out of the side yard and he felt staff's concern was fair. He would be interested in hearing the applicant's rationale for the gated aspect and his thoughts regarding the impact on the adjacent experience.

Ms. Cutro will ask the applicant to provide more information on the gating. This is the first study session on this item.

Commissioner September asked how much interaction staff has had with the applicant to date and if this is the first time the applicant has seen the staff comments?

Ms. Cutro stated this item went through the pre-application process and most of the staff comments were brought to the applicant's attention during that process as well as through staff's first submittal comments.

Commissioner September agreed with a lot of the staff comments, both the positive and negative. He liked the central park amenity and the four access points. He also looked forward to hearing from the applicant on their rationale behind gating those access points. He was concerned with the percentage and physical location of the SF-D, especially in relationship to the larger parcels on the east side of Val Vista Road.

Commissioner Mundt did not see areas on the map for pedestrian pathways to the central park area. He was concerned with the density becoming much more dense and the right-of-way becoming congested, which will create a safety issue for children or individuals walking their dogs with cars parked along the street.

Ms. Cutro will ask the applicant for more information on the pedestrian linkages.

Commissioner September would like to hear from the applicant regarding their rational or desire for the narrower deeper lots. He was not sure that was a good trade-off.

Ms. Cutro did not have that information this evening and will get together with the applicant for that information.

Vice Chair Bloomfield appreciated the presentation and felt the Commission was unified in the concern for the total number of SF-D. At the same time, he really liked the plan and the layout and felt they developed a nice community. The typical reason for going to deep narrow lots is because the streets and utilities are expensive. By having shorter frontage and deeper lots, you have less streets being designed throughout the development. He had no concerns with the narrow deep lots. He agreed with Commissioner Cavenee's comments in regards to the SF-8, and would encourage the applicant to keep the 10' and 10' side yard setbacks. The gating will add some exclusivity in this part of town, although there is nothing that warrants it to be exclusive. They may wish to distinguish themselves with a gated community. Except for Hamstra Dairy a half mile away, they will be the only game in this area. It is a continuation of understanding the market, the demands, the high cost of dirt and trying to maximize all of those things. He understood the reason for wanting more SF-D and it keeps within the requirements of the General Plan. He applauded the applicant for that effort and to still be able to provide the open space and amenitized areas. That is the trade-off. He was a little concerned with the total aggregate of SF-D in this plan, although he liked the layout and the fact that they have incorporated additional lot area to their minimums instead of going with the LDC minimums. If the school site doesn't get sold, they will take in another 50 lots there. It is zoned SF-7 and those additional lots would put it right at 3.5 DU/Acre. They will have to deal with the economics and the trade-off of trying to get affordable housing in an amenitized community. As long as it meets the requirements of the Town guidelines, he was okay with everything except for the deviation for the side yard setbacks for SF-8, which should be 10' and 10' as recommended, or an aggregate.

Ms. Cutro clarified that the 5' minimum and 15' aggregate for the SF-6 and SF-7 and the 10' minimum, 20' aggregate for SF-8 for the side yards were acceptable to the Commission. She explained that the school was left out of the density calculations on the proposal and that it is not a guaranteed school

**6. DR19-132, Culver's Frozen Custard: Site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 2.3 acres, generally located at the southwest corner of Val Vista Drive and Willis Road, and zoned Regional Commercial (RC).**

Planner Sydney Bethel reviewed DR19-132, Culver's Frozen Custard. The subject site is located at the southwest corner of Val Vista Drive and Willis Road, approximately 2.3 acres zoned Regional Commercial (RC). The purpose of this presentation is to allow for early input. Staff is requesting general feedback on the site design and elevations. There are two buildings proposed with this development. Pad A is the Culver's restaurant, approximately 4,330 SF with a drive-through. The second 3,500 SF building, Pad B, on the southern portion of the site will be built with the second phase and is intended for restaurant use. The first phase will include the Culvers, landscaping, internal parking and the access roads, with Pad B coming in at a later date.

The primary material used for the site is EFIS board in blue panels as well as white and brown brick patterns. Staff has requested real life examples of how these materials apply, especially in the brick and tile patterns, since it is not a material we see often in Gilbert. There is also corrugated metal and stone veneer throughout the site. The east elevation will face Val Vista Road, and the south elevation will face internally to the parking lot. The west and north elevations have a similar design. The single drive-through splits into two sides to allow for the Culver's operations where customers often need to pull over to wait for their order.

Staff is requesting general feedback on the site design and elevations.

**QUESTIONS / COMMENTS FROM THE COMMISSION:**

Commissioner Cavenee liked the proposal. His only question concerned the connections between the pedestrian walkways amongst the commercial buildings. He did not see a connectivity to Culvers. The sidewalk at the Val Vista frontage did not seem to branch out into the site. He encouraged maintaining some kind of pedestrian pass-through for safety reasons. Otherwise, he felt the project looked great. All of the trash enclosures look properly oriented, parking looks well laid out, he did not mind the turnout and felt it was a good corner presentation.

Commissioner Mundt noted that this intersection gets extremely busy as it is now and he assumed that the traffic engineer would review the plans. He asked if staff was requesting a higher or lower elevation.

Ms. Bethel stated staff had no issues with the elevations and was just looking for general feedback. The only first review comments were for further clarification on the materials with real life examples. The Commission's comments will be incorporated prior to the second submittal.

Vice Chair Bloomfield liked that it will be a Culver's.

**7. ST19-06 SOMERSET: Three (3) new Standard Plans (2B, 4B and 6B) by Blandford Homes for 41 lots on approximately 5.4 acres generally located south of the southeast corner of Pecos Road and Greenfield Road and zoned Single Family-10 (SF-10).**

Planner Keith Newman presented ST19-06, Somerset standard plans by Blandford Homes. The zoning and preliminary plat was approved back in 2015, although it is normally approved in conjunction with the concurrent application for zoning or a plat. This is a phase of Somerset that just has not built yet. Somerset just recently began building within the last year or so. Blandford Homes is in the process of purchasing the lots from the original developer. The site is about 5.5 acres in size and the applicant is proposing to build these new home products on 41 finished lots.

The proposal is for three new standard plans, 2B, 4B, and 6B, on 41 lots. The average lot size is 90' by 148', or approximately 13,000 SF. The maximum square footage is 5,400 SF with livable square footage of 3,800 to 5,400 SF. The minimum width is 70' and the height ranges from 28' to 29'. There are six different architectural



## **MEMORANDUM**

To: Town of Gilbert  
From: Brennan Ray  
Date: August 15, 2019  
Update: October 29, 2019  
Update: November 18, 2019  
Update: December 19, 2019  
RE: **Rezoning Application**  
**NWC of Val Vista Rd. and Ocotillo Rd.**

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### **I. INTRODUCTION**

Maracay Homes (“Maracay”) is proposed developer of 162.08± gross (149.13± net) acres located at the northwest corner of Val Vista Road and Ocotillo Road (the “Site”). An aerial of the Site is attached as ***Exhibit 1***. Consistent with the high bar that Maracay has established throughout the Phoenix-Metro area, Maracay is seeking to develop the Site as a highly-amenitized, master-planned residential community with a wide choice of housing styles, abundant parks and open spaces, and friendly neighborhoods. The land planning and design concepts for the Site portray a high-quality development and extraordinary sense of community, compatibility, and sustainability. Maracay’s request is to rezone the Site from SF-35 to S-8, SF-7, SF-6, and SF-D, all with a PAD Overlay (***See Exhibit 2, Existing and Proposed Zoning Exhibit; Exhibit 3, Illustrative Master Plan; and Exhibit 4, Development Plan***). Maracay anticipates developing the Site with 486 homes comprised of six different lot sizes at a density of 3.00 du/ac. The proposed development is proposed to be gated, with private streets throughout.

Maracay’s above-described requests and proposed development plans make good sense on this Site. The proposed community is/will be united through an organized layout, architecture, landscape theming, perimeter treatments, and amenities. The proposed development will contain substantial amounts of HOA maintained open space and amenities, providing opportunities for future residents to interact and socialize with their families and each other. The development will also include a centralized park and several smaller amenities strategically placed to meet the needs of families and other residents. Pedestrian paths are located throughout the development, providing direct, convenient access for residents to move throughout the development to the amenity areas.

### **II. SITE AND SURROUNDING AREA**

The Site is designated on the Town’s General Plan as Residential (2-3.5 du/ac). The Site is zoned SF-35. The surrounding land use General Plan and zoning designations are:

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Phoenix, Arizona 85014  
(602) 234-8794 (Tel.)  
(602) 850-9794 (Fax)  
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	General Plan Designation	Zoning Category	Existing Use
North	Residential (2-3.5 du/ac)	SF-6	Single-family development
South	Residential (2-3.5 du/ac)	SF-35	Vacant
East	Residential (0-1 du/ac) Public Facilities/Institutional	SF-43, PF/I, and Unincorporated Maricopa County	Residential
West	Residential (2-3.5 du/ac)	SF-8, SF-6, Unincorporated Maricopa County	Single-family developments

### **III. COMPATIBILITY WITH ELEMENTS OF GENERAL PLAN AND THE SANTAN CHARACTER AREA**

Maracay's requests are supported by the following Goals and Policies of the General Plan:

- **Land Use and Growth Areas, Policy 1.2—Create neighborhoods with an identity that complement the Town's heritage and connect to the broader community.** Maracay's proposed development is designed as a series of neighborhoods, each with their own identity, yet collectively a unique community planned to be functionally efficient and create a distinct experience for residents. Maracay's requests will create its own identity and complement the rural-agrarian heritage of the surrounding area using landscaping, entry features, and theme walls that will be presented as part of the Preliminary Plat.
- **Land Use and Growth Areas, Policy 1.3—Encourage residential development that allows for a diversity of housing types for all age groups and is accessible to a range of income levels.** Allowing the Site to be zoned will provide additional and diverse housing product within the immediate area, with Maracay providing a wide variety of housing choices with a mix of 70-foot, 60-foot, 55-foot, 50-foot, and 40-foot wide lots. The mix of housing options will allow for a diverse range of homebuyers to live in this high-quality community. Maracay's proposed land use, subdivision layout, and future housing product is consistent with the immediate area and Town's desires in this area.
- **Land Use and Growth Areas, Policy 1.6—Encourage new residential developments to provide pedestrian linkages to parks, schools, and other appropriate public facilities.**  
**Circulation, Policy 3.1—Encourage new development to establish pedestrian, equestrian, multi-use and/or bike paths consistent with the development's theme.**  
**Circulation, Policy 3.2—Connect neighborhoods, school sites, activity centers and recreational sites with sidewalks, trails, and bikeways.**



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Pedestrian interaction is created through a conscious, thoughtful effort to design the community. Residents will be provided direct, convenient, and safe access to the central amenity area. The central amenity area as well as the smaller neighborhood parks are connected via pedestrian paths, allowing residents and guest to move freely throughout the community.

- **Land Use and Growth Areas, Policy 4.1—Provide an adequate supply of appropriately zoned land to accommodate a variety of future housing needs.** Maracay's request provides appropriately planned and zoned land to accommodate the future needs of homebuyers in an evolving housing market. The proposed changes to the Site will allow Maracay to provide additional high-quality homes with a variety of housing choices and an attractive presence in this area.
- **Community Design, Policy 2.5—Maintain an open feel in new developments by strategically placing open space for visual relief, active uses, buffering, and entry accents.** Careful planning has gone into centrally locating the major amenity area and strategically placing landscaped open spaces around and within the Site and in tracts along the adjacent roadways, creating a visually pleasing environment for future residents and passers-by.

The Site is also located within the Santan Character Area of the General Plan and meets many of the goals and policies of the Santan Character Area as follows:

- **SCA 1.3—Encourage the development of unique, low-density projects mixed with open space.** Maracay's proposed development will reflect the Town's rural agricultural heritage in the area through its design, theming, amenities, and architecture. The development contains a significant number of features and amenities that provide meaningful opportunities for future residents to interact and socialize with each other.
- **SCA 1.5—Design aesthetically pleasing, rural-themed streetscapes.**  
**SCA 1.6—Encourage a variety of walls, including view walls, landscaping, and agricultural themed fencing, where appropriate.**

As discussed above, Maracay's request will create its own identity and complement the rural-agrarian heritage of the surrounding area using landscaping, entry features, and theme walls that will be presented as part of the Preliminary Plat. The design plans that will be included in that submittal create an aesthetically pleasing streetscape for residents and passers-by.

#### **IV. PROPOSED REZONING**

##### ***A. Proposed Base Zoning Districts and Uses***

Maracay is requesting the Site be zoned SF-8, SF-7, SF-6, and SF-D, with PAD Overlay for a residential community. Proposed modifications to the respective zoning district Development Standards are discussed below.



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### ***B. Development Standards***

Maracay's request to rezone the Site to SF-8, SF-7, SF-6, and SF-D, with PAD Overlay has been planned with the following residential lot development standards for the homes (changes are noted in **bold**):

<b>Standards</b>	<b>LDC SF-8 Standards</b>	<b>Maracay Proposed SF-8 Standards (Parcel 1)</b>
Min. Lot Area (sq. ft.)	8,000	<b>9,000</b>
Min. Lot Dimensions (ft.)		
Width	75	<b>70</b>
Depth	100	<b>130</b>
Max. Height (ft./stories)	30/2	30/2
Min. Front Yard Setback (ft.)	20*	20*
Min. Side Yard Setback (ft.)	10	<b>5/10</b>
Min. Rear Yard Setback (ft.)	25	25
Max. Lot Coverage (%)		
1 Story	45	45
2 Story	40	40

\* A minimum front setback of 15 feet is permitted for: side entry garages; livable areas of dwelling units with detached garages; or dwelling units with front-facing garages that are recessed by 20 feet or more from the front plane of the livable area.

<b>Standards</b>	<b>LDC SF-7 Standards</b>	<b>Maracay Proposed SF-7 Standards (Parcel 2)</b>
Min. Lot Area (sq. ft.)	7,000	<b>7,500</b>
Min. Lot Dimensions (ft.)		
Width	65	<b>60</b>
Depth	100	<b>125</b>
Max. Height (ft./stories)	30/2	30/2
Min. Front Yard Setback (ft.)	20*	20*
Min. Side Yard Setback (ft.)	5/10	5/10
Min. Rear Yard Setback (ft.)	20	20
Max. Lot Coverage (%)		
1 Story	45	45
2 Story	40	40

\* A minimum front setback of 15 feet is permitted for: side entry garages; livable areas of dwelling units with detached garages; or dwelling units with front-facing garages that are recessed by 20 feet or more from the front plane of the livable area.



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<b>Standards</b>	<b>LDC SF-7 Standards</b>	<b>Maracay Proposed SF-7 Standards (Parcel 3)</b>
Min. Lot Area (sq. ft.)	7,000	7,000
Min. Lot Dimensions (ft.)		
Width	65	<b>55</b>
Depth	100	<b>128</b>
Max. Height (ft./stories)	30/2	30/2
Min. Front Yard Setback (ft.)	20*	20*
Min. Side Yard Setback (ft.)	5/10	5/10
Min. Rear Yard Setback (ft.)	20	20
Max. Lot Coverage (%)		
1 Story	45	45
2 Story	40	40

\* A minimum front setback of 15 feet is permitted for: side entry garages; livable areas of dwelling units with detached garages; or dwelling units with front-facing garages that are recessed by 20 feet or more from the front plane of the livable area.

<b>Standards</b>	<b>LDC SF-6 Standards</b>	<b>Maracay Proposed SF-6 Standards (Parcel 4)</b>
Min. Lot Area (sq. ft.)	6,000	<b>5,900</b>
Min. Lot Dimensions (ft.)		
Width	55	55
Depth	100	<b>108</b>
Max. Height (ft./stories)	30/2	30/2
Min. Front Yard Setback (ft.)	20*	<b>15*</b>
Min. Side Yard Setback (ft.)	5/10	5/10
Min. Rear Yard Setback (ft.)	20	20
Max. Lot Coverage (%)		
1 Story	45	45
2 Story	40	40

\* A minimum front setback of 15 feet is permitted for: side entry garages; livable areas of dwelling units with detached garages; or dwelling units with front-facing garages that are recessed by 20 feet or more from the front plane of the livable area.

<b>Standards</b>	<b>LDC SF-6 Standards</b>	<b>Maracay Proposed SF-6 Standards (Parcel 5)</b>
Min. Lot Area (sq. ft.)	6,000	<b>6,150</b>
Min. Lot Dimensions (ft.)		
Width	55	<b>50</b>
Depth	100	<b>123</b>
Max. Height (ft./stories)	30/2	30/2



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<b>Standards</b>	<b>LDC SF-6 Standards</b>	<b>Maracay Proposed SF-6 Standards (Parcel 5)</b>
Min. Front Yard Setback (ft.)	20*	<b>15*</b>
Min. Side Yard Setback (ft.)	5/10	5/10
Min. Rear Yard Setback (ft.)	20	20
Max. Lot Coverage (%)		
1 Story	45	45
2 Story	40	40

\* A minimum front setback of 15 feet is permitted for: side entry garages; livable areas of dwelling units with detached garages; or dwelling units with front-facing garages that are recessed by 20 feet or more from the front plane of the livable area.

<b>Standards</b>	<b>LDC SF-D Standards</b>	<b>Maracay Proposed SF-D Standards (Parcel 6)</b>
Min. Lot Area (sq. ft.)	3,000	<b>4,000</b>
Min. Lot Dimensions (ft.)	n/a	
Width		<b>40</b>
Depth		<b>105</b>
Max. Height (ft./stories)	36/3	<b>30/2</b>
Min. Front Yard Setback (ft.)	10	10
Min. Side Yard Setback (ft.)	0 or 5	0 or 5
Min. Rear Yard Setback (ft.)	10	10
Max. Lot Coverage (%)		
1 Story	60	60
2 Story	50	50

The proposed development and modifications are consistent with recent Maracay master-planned developments in the East Valley. Considerable thought has been given to the layout and design of the development to create a sustainable, high-quality community with multiple zoning districts and densities integrated throughout that is consistent with the Town's General Plan and Santan Character Area. As will be shown on the exhibits/plans presented in connection with the Preliminary Plat application, significant effort is being put into the landscaping design, park and amenity areas, and the pedestrian experience to create a development that will be an asset in the area. Approximately 25% of the Site will consist of open space, with a grand, landscaped boulevard entrance off of Val Vista Drive leading to a central amenity area (the focal point of the development), creating a sense of arrival.

In addition to the development considerations, Maracay has agreed to construct the roadway improvements along 148<sup>th</sup> Street in the initial development phase, which will help to improve traffic issues in this area. The entire development will be constructed in a cohesive manner to ensure minimal disruption to the existing neighbors in the area. Maracay will coordinate improvements to Val Vista Drive and Ocotillo Road with the Town's Capital Improvement Project.



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To achieve this, Maracay is proposing modifications to the minimum lot area (SF-8, SF-7 (Parcel 2), SF-6, and SF-D zoning districts) minimum lot dimensions (all zoning districts), the side yard setback in the SF-8 zoning district, the front yard setback in the SF-6 zoning district, and creating a minimum lot dimension for the SF-D zoning district. These changes allow Maracay to meet the desire of homebuyers by providing housing product that meets the needs of future homebuyers, flexibility to locate the homes on a given lot, and provide a deeper rear yard for families, friends, guests to enjoy. The changes allow Maracay to create a development that will appeal to a variety of different homebuyers, allowing for a more diverse community.

**V. PROPOSED REFUSE AND RECYCLING COLLECTION SYSTEM**

The proposed refuse and recycling collection system will be the Town's standard practice of collection for individual lots.

**VI. ULDC v. LDC CODE REQUIREMENTS**

The Preliminary Plat will be designed to the meet LDC code requirements and above proposed modified development standards.

**VII. CONCLUSION**

Maracay's request is consistent with and supported by the General Plan and goals and policies of the Santan Character Area. Development of the Site as a master-planned development with multiple housing choices and substantial amenity areas makes good sense on this Site. The proposed development is compatible with the surrounding area and existing residential developments. Maracay's requests will provide greater diversity and high-quality homes within the immediate area. We request your approval.